AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (original): A rubber composition which comprises, per 100 parts by mass of a polymer, 10 to 200 parts by mass of silica and 1 to 30 parts by mass of a silane compound having sulfur atom represented by average structural formula (I):

$$(R^1O)_{3-p}(R^2)_pSi-R^3-S_m-R^4-S_m-R_3-Si(R^2)_p(OR^1)_{3-p} \quad \cdots (I)$$

wherein R^1 and R^2 each represent a hydrocarbon group having 1 to 4 carbon atoms, R^3 represents a divalent hydrocarbon group having 1 to 15 carbon atoms, **p** represents an integer of 0 to 2, **m** represents a number of 1 or greater and smaller than 4, which may be an average of numbers, and R^4 represents a divalent functional group represented by one of following general formulae (II) to (IV):

$$S-R^5-S \quad \cdots (II)$$

$$R^6-S_x-R^7 \quad \cdots (III)$$

$$R^8-S_y-R^9-S_x-R^{10} \quad \cdots (IV)$$

wherein R^5 to R^{10} represents a linear or branched divalent hydrocarbon group having 1 to 20 carbon atoms, a divalent aromatic group or a divalent organic group having a hetero atom which is not sulfur atom or oxygen atom, R^5 to R^{10} may represent a same group or different groups,

and **x**, **y** and **z** each represent a number of 1 or greater and smaller than 4, which may be an average of numbers.

2. (original): A rubber composition according to Claim 1, wherein **m** represents 1 in average structural formula (I) representing the silane compound having sulfur atom.

3. (original): A rubber composition according to Claim 1, wherein **x**, **y** and **z** each represent a number of 2 or greater and 3 or smaller, which may be an average of numbers, in general formulae (III) and (IV) representing the divalent functional group.

4. (original): A rubber composition according to Claim 1, wherein R^4 represents a divalent functional group represented by general formula (IV) in average structural formula (I) representing the silane compound having sulfur atom.

5. (original): A rubber composition according to Claim 1, wherein, in average structural formula (I) representing the silane compound having sulfur atom, R^4 represents a divalent functional group represented by general formula (IV) in which R^8, R^9 and R^{10} each represent hexylene group.

6. (original): A rubber composition according to Claim 1, wherein a purity of the silane compound having sulfur atom is 60% or greater at a time when the silane compound having sulfur atom is mixed to form the rubber composition.

7. (currently amended): A rubber composition according to ~~any one of Claims 1 and 2~~Claim 1, wherein, at a time when the silane compound having sulfur atom is mixed to form the

rubber composition, a content of silane compounds having sulfur atom and three or more silicon atoms in one molecule is 30% by mass or smaller of the rubber composition.

8. (currently amended): A rubber composition according to ~~any one of Claims 1 to 7~~Claim 1, wherein a BET surface area of the silica is 40 to 350 m^2/g.

9. (currently amended): A rubber composition according to ~~any one of Claims 1 to 8~~Claim 1, wherein the polymer is a diene-based rubber.

10. (currently amended): A tire which comprises a member comprising a rubber composition described in ~~any one of Claims 1 to 9~~Claim 1.

11. (original): A tire according to Claim 10, wherein the member is a tire tread.

12. (new): A rubber composition according to Claim 2, wherein, at a time when the silane compound having sulfur atom is mixed to form the rubber composition, a content of silane compounds having sulfur atom and three or more silicon atoms in one molecule is 30% by mass or smaller of the rubber composition.